

Amendments to House Bill No. 335  
1st Reading Copy

Requested by Representative Jennifer Eck

For the House Judiciary Committee

Prepared by Helen Thigpen  
February 14, 2013 (7:24am)

1. Page 2, line 9.

**Following:** "~~confinement.~~"

**Insert:** "If, at the time of sentencing, the sentencing judge did not apply a level designation to a sexual offender who is required to register under this part and who was sentenced prior to October 1, 1997, the department shall designate the offender as level 1, 2, or 3 when the offender is released from confinement."

2. Page 2, line 9 through line 16.

**Strike:** "Upon" on line 9 through "offender." on line 16

3. Page 2, following line 22.

**Insert:** "(8) Upon obtaining information that indicates that a sexual offender who is required to register under this part does not have a level 1, 2, or 3 designation, the attorney general, the county attorney that prosecuted the offender and obtained a conviction for a sexual offense, or the county attorney for the county in which the offender resides may, at any time, petition the district court that sentenced the offender for a sexual offense or the district court for the judicial district in which the offender resides to designate the offender as level 1, 2, or 3. Upon the filing of the petition, the court may order a sexual offender evaluation report at the petitioner's expense. The court shall provide the offender with an opportunity for a hearing prior to designating the offender. The petitioner shall provide the offender with notice of the petition and notice of the hearing."

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